

## Patent Assignment Abstract of Title

**NOTE: Results display only for issued patents and published applications. For pending or abandoned applications please consult USPTO staff.**

### Total Assignments: 2

**Patent #:** 6264922 **Issue Dt:** 07/24/2001 **Application #:** 08948216 **Filing Dt:** 10/09/1997

**Inventors:** RAY W. WOOD, LAN DECASTRO, H. WILLIAM BOSCH

**Title:** NEBULIZED AEROSOLS CONTAINING NANOPARTICULATE DISPERSIONS

### Assignment: 1

**Reel/Frame:** 010797/0486

**Recorded:** 05/05/2000

**Pages:** 15

**Conveyance:** ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

**Assignor:** NANOSYSTEMS, L.L.C.

**Exec Dt:** 10/01/1998

**Assignee:** ELAN CORPORATION, PLC

LINCOLN HOUSE, LINCOLN PLACE  
DUBLIN 2, IRELAND

**Correspondent:** FOLEY & LARDNER

MICHELE M. SCHAFER  
WASHINGTON HARBOUR  
3000 K STREET, N.W., SUITE 500  
WASHINGTON, D.C. 20007-8696

### Assignment: 2

**Reel/Frame:** 010797/0501

**Recorded:** 05/05/2000

**Pages:** 17

**Conveyance:** ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

**Assignor:** ELAN CORPORATION, PLC

**Exec Dt:** 10/01/1998

**Assignee:** ELAN PHARMA INTERNATIONAL LIMITED

WIL HOUSE, SHANNON BUSINESS PARK  
SHANNON, CO. CLARE, IRELAND

**Correspondent:** FOLEY & LARDNER

MICHELE M. SCHAFER  
3000 K STREET, N.W.  
SUITE 500  
WASHINGTON, DC 20007-8696

Search Results as of: 02/03/2004 10:51 AM

FORM PTO-1595 (modified)

(Rev. 6-93)

REC

05-23-2000

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

HEET

5.500

101364077

To the Commissioner of Patents and Trademarks. Please record the attached original documents or copies thereof.

1. Name of conveying party(ies):

NanoSystems, L.L.C.



Additional conveying party(ies) NO

2. Name and address of receiving party(ies):

Elan Corporation, PLC  
Lincoln House, Lincoln Place  
Dublin 2, IRELAND

3. Nature of conveyance:

ASSIGNMENT

Execution Date: October 1, 1998

Additional name(s) & address(es) attached? NO

4. Application number(s) or patent number(s):

If this is being filed together with a new application, the execution date of the application is: N/A

A. Patent Application Number(s):

08/948,216

B. Patent Number(s):

Additional numbers attached? NO

5. Name and address of party to whom correspondence concerning document should be mailed:

Michele M. Schafer  
FOLLEY & LARDNER  
Washington Harbour  
3000 E. Street, N.W., Suite 500  
P.O. Box 25696  
Washington, D.C. 20007-8696

6. Total number of applications/patents involved: 1

7. Total fee (37 C.F.R. § 3.41): \$40.00

☒ Check Enclosed

Charge to deposit account

8. Deposit account number: 19-0741

05/22/2000 JENNAZZ 0000072 00948216

DO NOT USE THIS SPACE

01 FEB 2001

40.00 00

9. Statement and signature:

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. The Commissioner is hereby authorized to charge any additional recordation fees which may be required in this matter to the above-identified deposit account.

Michele M. Schafer

*Michele M. Schafer*

May 5, 2000

Name of person signing

Signature

Date

Total number of pages including cover sheet, attachments, and document: 15



# ASSET PURCHASE AGREEMENT

by and between

NANOSYSTEMS L.L.C.,  
EASTMAN KODAK COMPANY

and

ELAN CORPORATION, PLC

Dated as of August 21, 1998

NY1228:97443.11

PATENT

REEL: 010797 FRAME: 0487



**SCHEDULES TO DISCLOSURE STATEMENT**

|                  |                                      |
|------------------|--------------------------------------|
| Schedule 1.1(a)  | Equipment                            |
| Schedule 1.1(b)  | NanoSystems Real Property            |
| Schedule 1.1(c)  | NanoSystems Intellectual Property    |
| Schedule 3.8     | Capitalization                       |
| Schedule 3.10    | Absence of Change                    |
| Schedule 4.5     | Consents                             |
| Schedule 4.6(a)  | Intellectual Property Infringements  |
| Schedule 4.6(b)  | Intellectual Property Restrictions   |
| Schedule 4.8(a)  | Material Contracts                   |
| Schedule 4.8(b)  | Contracts: Breaches/Events           |
| Schedule 4.8(c)  | Certain Contracts                    |
| Schedule 4.9     | Manufacturing Rights                 |
| Schedule 4.10    | Administrative Actions               |
| Schedule 4.13(a) | Benefit Plans                        |
| Schedule 4.13(f) | Payments Resulting from Transactions |
| Schedule 4.14(b) | Environmental                        |
| Schedule 4.17(c) | Commitments Since 12/31/97           |
| Schedule 4.17(g) | Severance Payment                    |
| Schedule 4.20    | Undisclosed Liabilities              |
| Schedule 4.21    | Insurance                            |
| Schedule 4.22    | Year 2000 Compliance                 |
| Schedule 5.2     | Commitments Prior to Closing         |
| Schedule 5.5(a)  | Severance Plan                       |
| Schedule 5.5(b)  | Kodak Employee                       |
| Schedule 6.1(c)  | Consents                             |

**EXHIBIT A Warrant Agreement**

*Schedule  
1.1(c)  
IP*

MAY 05 2000  
JCS

SCHEDULE 1.1.c

| Novartis Pharmaceuticals Corporation Intellectual Property Portfolio of<br>Pending and Granted Patents<br>August 20, 1998  |                   |                          |         |
|--|-------------------|--------------------------|---------|
| Title of Invention   | Country           | Patent/Appln. No.        | Status  |
| Aerosols Containing Bacteriostatic<br>Nanoparticle Dispersions   | U.S.              | Patent No. 5,747,001     | Granted |
|  | Canada            | Appln. No. 2,313,846     | Pending |
|  | Europe            | Appln. No. 94908367.1    | Pending |
|  | Japan             | Appln. No. E-323798      | Pending |
| Aerosols Containing Nanoparticle<br>Dispersions  | U.S.              | Patent No. 5,747,001     | Granted |
|  | Canada            | Appln. No. 2,313,838     | Pending |
|  | Europe            | Appln. No. 94908368.3    | Pending |
|  | Japan             | Appln. No. E-323798      | Pending |
| Nanocrystalline Formulations of Human<br>Immunodeficiency Virus (HIV) Protease<br>Inhibitors Using Cellulose Surface<br>Stabilizers and Methods of Making Such<br>Formulations | U.S.              | Appln. No. 08/890,402    | Pending |
|  | ECT               | ECT/0891/14097           | Pending |
| Pharmaceutical Compositions Containing<br>Polyalkylene Block Copolymers Which Gel<br>at Physiological Temperature  | U.S.              | Patent No. 5,543,188     | Granted |
|  | U.S.              | Patent No. 5,783,194     | Granted |
|  | Canada            | Appln. No. 2,313,643     | Pending |
|  | Europe            | Appln. No. 94907083.8    | Pending |
|  | Japan             | Appln. No. E-323823      | Pending |
| Nanoparticles Containing the R(-)<br>Enantiomer of Ibuprofen   | U.S.              | Patent No. 5,712,919     | Granted |
| Formulations of Oral Gastrointestinal<br>Therapeutic Agents in Combination with<br>Pharmaceutically Acceptable Clays   | U.S.              | Patent No. 5,385,106     | Granted |
| Microencapsulation of Nanoparticulate<br>Pharmaceutical Agents   | U.S.              | Patent No. 5,360,932     | Granted |
| Isolation of Ultra Small Particles   | U.S.              | Patent No. 5,303,723     | Granted |
| Nanoparticulate Diagnostic Mixed Carbonic<br>Anhydrides as X-Ray Contrast Agents for<br>Blood Pool and Lymphatic System Imaging  | U.S.              | Patent No. 5,643,332     | Granted |
|  | U.S.              | Patent No. 5,472,643     | Granted |
|  | U.S.              | Patent No. 5,375,749     | Granted |
|  | U.S.              | Patent No. 5,322,679     | Granted |
| Iodinated Aryloxy Esters   | U.S.              | Patent No. 5,466,433     | Granted |
|  | U.S.              | Patent No. 5,318,187     | Granted |
| Method of Grinding Pharmaceutical<br>Substances  | U.S.              | Patent No. 5,318,187     | Granted |
|  | Argentina         | Appln. No. 326,206       | Pending |
|  | Australia         | Patent No. 660832        | Granted |
|  | Canada            | Appln. No. 2,107,400     | Pending |
|  | Taiwan            | Patent No. NT-45476      | Granted |
|  | Czech<br>Republic | Appln. No. 93/2277       | Pending |
|  | Europe            | Appln. No. 93102785.4    | Pending |
|  | Finland           | Patent/Appln. No. 934320 | Pending |

**SCHEDULE 1.1.c**

| <b>NanoSystems Intellectual Property Portfolio of<br/>Pending and Granted Patents<br/>August 20, 1998</b> |                 |  |               |
|---|-----------------|--|---------------|
| <b>Title of Invention</b>   | <b>Country</b>  | <b>Patent/Appn. No.</b>                | <b>Status</b> |
| <b>Method of Grinding Pharmaceutical Substances</b>   | Hungary         | Patent No. 218022                      | Granted       |
|   | Japan           | Appn. No. 282487/93                    | Pending       |
|   | South Korea     | Appn. No. 22264/93                     | Pending       |
|   | Malaysia        | Patent No. MY-109,218-A                | Granted       |
|   | Mexico          | Appn. No. 93-6443                      | Pending       |
|   | New Zealand     | Patent No. 248813                      | Granted       |
|   | Norway          | Appn. No. 91-03719                     | Pending       |
|   | Philippines     | Appn. No. 8347839                      | Pending       |
|   | Russia          | Patent/Appn. No. 93/52890              | Pending       |
|   | Slovak Republic | Appn. No. PV 1361/93                   | Pending       |
|   | Ukraine         | Appn. No. 93/2406                      | Pending       |
|   | Venezuela       | Appn. No. 146093                       | Pending       |
|   | U.S.            | Patent No. 5,373,783                   | Granted       |
| <b>Redispersible Nanoparticulate Film Materials With Protective Overcoat</b>                              | Canada          | Appn. No. 2,312,883                    | Pending       |
|   | Europe          | Appn. No. 94/04612.7                   | Pending       |
|   | Japan           | Appn. No. 8-323046                     | Pending       |
| <b>Isolated Aromatic Compounds</b>  | U.S.            | Patent No. 5,384,107                   | Granted       |
| <b>Method to Reduce Particle Size Growth During Lyophilization</b>  | U.S.            | Patent No. 5,382,401                   | Granted       |
| <b>Isolated Benzoyl Acetate and Ketals for X-Ray Imaging</b>  | U.S.            | Patent No. 5,330,739                   | Granted       |
| <b>Formulations of Compounds as Nanoparticulate Dispersions in Digestible Oils or Fatty Acids</b>         | U.S.            | Patent No. 5,371,336                   | Granted       |
|   | U.S.            | Patent No. 5,360,931                   | Granted       |
|   | Canada          | Appn. No. 2,307,364                    | Pending       |
|   | Europe          | Appn. No. 94/04332.5                   | Pending       |
|   | Japan           | National Phase Appn. of PCT/US96/01433 | Pending       |
| <b>Use of Non-Ionic Cloud Point Modifiers to Minimize Nanoparticle Aggregation During Sterilization</b>   | U.S.            | Patent No. 5,344,762                   | Granted       |
| <b>The Use of Tylosin as a Nanoparticle Stabilizer and Dispersant</b>                                     | U.S.            | Patent No. 5,429,324                   | Granted       |
|   | Argentina       | Appn. No. 328,179                      | Pending       |
|   | Australia       | Patent No. 663648                      | Granted       |
|   | Canada          | Appn. No. 2,108,192                    | Pending       |
|   | Taiwan          | Appn. No. 83188785                     | Pending       |
|   | Europe          | Appn. No. 93283363.7                   | Pending       |
|   | Finland         | Pat/Appn. No. 93/3183                  | Pending       |
|   | Hungary         | Pat/Appn. No. P9303394                 | Pending       |
|   | Israel          | Appn. No. 93/167874                    | Pending       |
|   | Japan           | Appn. No. 210796/93                    | Pending       |
|   | South Korea     | Appn. No. 22706/93                     | Pending       |

# SCHEDULE I.I.c

## NanoSystems Intellectual Property Portfolio of Pending and Granted Patents August 28, 1998

| Title of Invention   | Country         | Patent/Appln. No.       | Status  |
|--|-----------------|-------------------------|---------|
| The Use of Tyleaspal as a Nanoparticle Stabilizer and Dispersion                       | Malaysia        | Appln. No. PI 9302834   | Granted |
|  | New Zealand     | Patent No. 248726       | Granted |
|  | Norway          | Appln. No. P834424      | Pending |
|  | Philippines     | Patent No. 29937        | Granted |
|  | Russia          | Appln. No. 93634941.00  | Pending |
|  | Slovak Republic | Appln. No. PV 1424-93   | Pending |
|  | Ukraine         | Appln. No. 41003742     | Pending |
|  | U.S.            | Patent No. 5,266,478    | Granted |
|  | Argentina       | Appln. No. 324,628      | Pending |
|  | Australia       | Patent No. 662442       | Granted |
| Indinated Aryloxy Carbonamides   | Canada          | Appln. No. 2,167,387    | Pending |
|  | Taiwan          | Patent No. NI-672317    | Granted |
|  | Hungary         | Pat/Appln. No. P8303473 | Hungary |
|  | Israel          | Appln. No. 93/107654    | Granted |
|  | Japan           | Appln. No. 24091593     | Pending |
|  | South Korea     | Appln. No. 93/21154     | Pending |
|  | Malaysia        | Patent No. MY-169,203A  | Granted |
|  | New Zealand     | Patent No. 241431       | Granted |
|  | Philippines     | Patent No. 30136        | Granted |
|  | Ukraine         | Appln. No. 83/468       | Pending |
|  | Venezuela       | Patent No. 138493       | Granted |
|  | U.S.            | Patent No. 5,431,393    | Granted |
|  | U.S.            | Patent No. 5,318,767    | Granted |
|  | Europe          | Appln. No. 92266132.4   | Pending |
|  | U.S.            | Patent No. 5,352,459    | Granted |
| X-Ray Contrast Compositions Useful in Medical Imaging                                  | Argentina       | Appln. No. 354,523      | Pending |
|  | Taiwan          | Appln. No. 83109723     | Pending |
|  | Japan           | Appln. No. 21647293     | Pending |
|  | South Korea     | Appln. No. 93/23383     | Pending |
|  | Malaysia        | Appln. No. PI 9302359   | Pending |
|  | Mexico          | Appln. No. 937381       | Pending |
|  | New Zealand     | Patent No. 230116       | Granted |
|  | Philippines     | Appln. No. 47231        | Pending |
|  | Russia          | Appln. No. 93/33883     | Pending |
|  | Slovak Republic | Appln. No. PV 1416/93   | Pending |
| Use of Purified Surface Modifiers to Prevent Particle Aggregation During Sterilization | U.S.            | Appln. No. 08/600,006   | Pending |
|  | ECT             | ECT/US94/03318          | Pending |
| Formulations of Nanoparticulate Naproxen Tablets                                       | U.S.            | Appln. No. 08/600,006   | Pending |
|  | ECT             | ECT/US94/03318          | Pending |

**SCHEDULE 1.1.c**

| <b>NanoSystems Intellectual Property Portfolio of<br/>Pending and Granted Patents<br/>August 20, 1998</b>      |                |                             |                   |
|--|----------------|-----------------------------|-------------------|
| <b>Title of Invention</b>  | <b>Country</b> | <b>Patent/Appln. No.</b>    | <b>Status</b>     |
| Reduction of Intravenously Administered Nanoparticle Formulations Induced Adverse Physiological Reactions      | U.S.           | Appln. No. 08/694,754       | Pending (Allowed) |
|  | Canada         | Based on PCT/US96/15300     | Pending           |
|  | Europe         | Based on PCT/US96/15300     | Pending           |
|  | Japan          | Based on PCT/US96/15300     | Pending           |
| Process of Preparing X-Ray Contrast Compositions Containing Nanoparticles                                      | U.S.           | Patent No. 5,343,133        | Granted           |
| Silylene Oxide-Ethylene Oxide Block Copolymer Surfactants as Stabilizer Coatings for Nanoparticle Compositions | U.S.           | 5,387,143                   | Granted           |
|  | Argentina      | Appln. No. 182,233          | Pending           |
|  | Australia      | Appln. No. 28248/93         | Pending           |
|  | Canada         | Appln. No. 2,183,503        | Pending           |
|  | Taiwan         | Appln. No. 8408107531       | Pending           |
|  | Europe         | Appln. No. 93913868.5       | Pending           |
|  | Finland        | Pat/Appln. No. 933234       | Pending           |
|  | Israel         | Patent/Appln. No. 93/114354 | Pending           |
|  | Japan          | Appln. No. 303705/94        | Pending           |
|  | Malaysia       | Appln. No. PI 9301774       | Pending           |
|  | Norway         | Appln. No. F 943435         | Pending           |
|  | Philippines    | Appln. No. 38809            | Pending           |
|  | Venezuela      | Appln. No. 93/1026          | Pending           |
|  | U.S.           | Appln. No. 08/491,539       | Pending (Allowed) |
| Method of Grinding Pharmaceutical Substances   | Argentina      | Appln. No. 331,838          | Pending           |
|  | Canada         | Appln. No. 2,196,946        | Pending           |
|  | Taiwan         | Appln. No. 84164440         | Pending           |
|  | Europe         | Appln. No. 93919829.4       | Pending           |
|  | Israel         | Appln. No. 93/115833        | Allowed           |
|  | Japan          | Appln. No. 338132/93        | Pending           |
|  | Malaysia       | Appln. No. PI 9301374       | Pending           |
|  | Philippines    | Appln. No. 50573            | Pending           |
|  | Venezuela      | Appln. No. 0833-93          | Pending           |
| Nanoparticulate Diagnostic Devices as X-Ray Contrast Agents for Blood Pool and Lymphatic System Imaging        | U.S.           | Patent No. 5,366,364        | Granted           |
| Method of Preparing Stable Drug Nanoparticles  | U.S.           | Patent No. 5,334,270        | Granted           |
| Sulfated Non-Ionic Block Copolymer Surfactant as Stabilizer Coatings for Nanoparticle Compositions             | U.S.           | Patent No. 5,369,441        | Granted           |
| Iodinated Aromatic Propandiolamine   | U.S.           | Patent No. 5,264,610        | Granted           |
|  | U.S.           | Patent No. 5,338,464        | Granted           |
| Iodinated Aromatic Ketones   | U.S.           | Patent No. 5,488,133        | Granted           |



# SCHEDULE 1.1.c

| NanoSystems Intellectual Property Portfolio of<br>Pending and Granted Patents<br>August 20, 1998  |           |  |                      |
|---|-----------|--|----------------------|
| Title of Invention  | Country   | Patent/Applica. No.  | Status               |
| Oral Purposes Diagnostic/Therapeutic Agent<br>Containing a Tri-Iodinated Benzoyl Group<br>Stabilized in a Conjugate                         | U.S.      | Patent No. 5,645,310   | Granted              |
| Improved Formulations of Oral<br>Gastrointestinal Diagnostic X-Ray Contrast<br>Agents and Oral Gastrointestinal<br>Therapeutic Agents       | U.S.      | Patent No. 5,628,981   | Granted              |
| Nanoparticles in Iodipamide Derivatives for<br>Use as X-Ray Contrast Agents   | U.S.      | Appln. No. 08/813,348  | Pending              |
|   | U.S.      | Patent No. 5,321,218   | Granted              |
| Nanoparticle Diagnostic Diagnostic Contrast<br>X-Ray Contrast Agents for Blood Pool and<br>Therapeutic System Imaging                       | U.S.      | Patent No. 5,323,328   | Granted              |
| Formulation Salt Formulations Stabilized by<br>Poly-Ionic and Anionic Stabilizers   | U.S.      | Patent No. 5,393,637   | Granted              |
| Water Insoluble Non-Magnetic Manganese<br>Particles as Magnetic Resonance<br>Enhancement Agents   | U.S.      | Patent No. 5,401,492   | Granted              |
| Novel Formulations for Nanoparticle X-<br>Ray Blood Pool Contrast Agents Using<br>High Molecular Weight Non-Ionic<br>Surfactants            | U.S.      | Patent No. 5,324,352   | Granted              |
| Use of Ionic Cloud Point Modifiers to<br>Prevent Particle Aggregation During<br>Sterilization   | U.S.      | Patent No. 5,447,710   | Granted              |
|   | U.S.      | Patent No. 5,398,263   | Granted              |
| Use of Charged Phospholipids to Reduce<br>Particle Aggregation  | U.S.      | Patent No. 5,476,583   | Granted              |
| Process of Preparing Therapeutic<br>Compositions Containing Nanoparticles   | U.S.      | Patent No. 5,310,118   | Granted              |
| Nanoparticle NSAID Formulations   | U.S.      | Patent No. 5,318,733   | Granted              |
|   | Canada    | Appln. No. 2,312,779   | Pending              |
|   | Europe    | Appln. No. 96803181.2<br>(to be completed in all EP<br>designated countries) | Pending<br>(Allowed) |
|   | Japan     | Appln. No. 8-324268  | Pending              |
| Microencapsulation of Nanoparticles<br>Pharmaceutical Agents  | U.S.      | Patent No. 5,340,973   | Granted              |
| Microencapsulation of Nanoparticles<br>Pharmaceutical Agents Using Surface<br>Active Material Derived From Similar<br>Pharmaceutical Agents | U.S.      | Patent No. 5,716,642   | Granted              |
| Co-Microencapsulation of Nanoparticles<br>Pharmaceutical Agents with Crystal Growth<br>Modifiers  | U.S.      | Patent No. 5,645,331   | Granted              |
| Co-Microencapsulation of Nanoparticles<br>Pharmaceutical Agents with Crystal Growth<br>Modifiers  | U.S.      | Patent No. 5,642,883   | Granted              |
| Surface Modified Drug Nanoparticles   | U.S.      | Patent No. 5,143,684   | Granted              |
|   | Argentina | Appln. No. 92/321681   | Pending              |

# SCHEDULE 1.1.e

## NanoSystems Intellectual Property Portfolio of Pending and Granted Patents August 26, 1998

| Title of Invention                        | Country         | Patent/Appln. No.                               | Status            |
|---|-----------------|---|-------------------|
| Surface Modified Drug Nanoparticles       | Australia       | Patent No. 634836                               | Granted           |
|   | Canada          | Appln. No. 2859433                              | Pending           |
|   | Chile           | Appln. No. 920774                               | Pending           |
|   | Columbia        | Patent No. 34433                                | Granted           |
|   | Europe          | Appln. No. 91288133.2<br>Publication No. 499299 | Pending           |
|   | Finland         | Pat/Appln. No. 930331                           | Pending           |
|   | Hungary         | Pat/Appln. No. 92-236                           | Pending           |
|   | Ireland         | Appln. No. 92-0217                              | Pending           |
|   | Israel          | Patent/Appln. No. 100734                        | Granted           |
|   | Japan           | Appln. No. 92/11228                             | Pending           |
|   | South Korea     | Appln. No. 92/1077                              | Pending           |
|   | Malaysia        | Patent No. MY-100134-A                          | Granted           |
|   | Mexico          | Patent No. 170543                               | Granted           |
|   | New Zealand     | Patent No. 341362                               | Granted           |
|   | Norway          | Appln. No. 92-00134                             | Allowed           |
|   | Philippines     | Patent No. 29089                                | Granted           |
|   | Russia          | Pat. No. 208433                                 | Granted           |
|   | Singapore       | Appln. No. 960361-3                             | Pending           |
|   | Taiwan          | Patent No. NI-071312                            | Granted           |
| Surface Modified Anticancer Nanoparticles | U.S.            | Patent No. 5,484,643                            | Granted           |
|   | U.S.            | Patent No. 5,389,343                            | Granted           |
|   | Argentina       | Appln. No. 93/025,320                           | Pending           |
|   | Australia       | Patent No. 875432                               | Granted           |
|   | Canada          | Appln. No. 2858243                              | Pending           |
|   | Czech Republic  | Appln. No. PV 131693                            | Pending           |
|   | China           | Appln. No. 93108050.9                           | Pending           |
|   | Europe          | Appln. No. 93201803.1<br>Publication No. 577215 | Pending           |
|   | Finland         | Pat/Appln. No. 933040                           | Pending           |
|   | Hungary         | Pat/Appln. No. 9301917                          | Pending           |
|   | Israel          | Patent/Appln. No. 106198                        | Pending           |
|   | Japan           | Appln. No. 93/131808                            | Pending           |
|   | South Korea     | Appln. No. 93/12287                             | Pending           |
|   | Malaysia        | Appln. No. PI 9301273                           | Pending (allowed) |
|   | Mexico          | Appln. No. 933930                               | Pending           |
|   | New Zealand     | Patent No. 248042                               | Granted           |
|   | Norway          | Appln. No. 93-2403                              | Pending           |
|   | Philippines     | Patent No. 30104                                | Granted           |
|   | Russia          | Appln. No. 93046236                             | Pending           |
|   | Singapore       | Appln. No. 9603603-6                            | Pending           |
|   | Slovak Republic | Pat/Appln. No. PV 0681-93                       | Pending           |
|   | Taiwan          | Patent No. NI-079294                            | Granted           |
|   | Ukraine         | Appln. No. 93000637                             | Pending           |

Issued and Granted Patents  
August 20, 1998

| Title of Invention                        | Country     | Patent/Appn. No.   | Status                                    |
|---|-------------|--|---|
| Surface Modified Anticancer Nanoparticles | Venezuela   | Pat/Appn. No. 6848-01                                      | Pending                                   |
| Surface Modified NSAID Nanoparticles      | U.S.        | Patent No. 5,352,160                                       | Granted                                   |
|   | Australia   | Patent No. 677783  | Granted                                   |
|   | Austria     | European Patent<br>No. 644 755                             | National<br>Registration<br>of EP 644 755 |
|   | Belgium     | European Patent<br>No. 644 755                             | National<br>Registration<br>of EP 644 755 |
|   | Canada      | Appn. No. 2118317  | Pending                                   |
|   | Denmark     | European Patent<br>No. 644 755                             | National<br>Registration<br>of EP 644 755 |
|   | Europe      | European Patent<br>No. 644 755                             | Granted                                   |
|   | France      | European Patent<br>No. 644 755                             | National<br>Registration<br>of EP 644 755 |
|   | Germany     | European Patent<br>No. 644 755                             | National<br>Registration<br>of EP 644 755 |
|   | Greece      | European Patent<br>No. 644 755                             | National<br>Registration<br>of EP 644 755 |
|   | Hungary     | Pat/Appn. No. 94-3543                                      | Pending                                   |
|   | Ireland     | European Patent<br>No. 644 755<br>Irish Patent No. 1572603 | Granted                                   |
|   | Italy       | European Patent<br>No. 644 755                             | National<br>Registration<br>of EP 644 755 |
|   | Japan       | Appn. No. 94/301515  | Pending                                   |
|   | Luxembourg  | European Patent<br>No. 644 755                             | National<br>Registration<br>of EP 644 755 |
|   | Monaco      | European Patent<br>No. 644 755                             | National<br>Registration<br>of EP 644 755 |
|   | Mexico      | Appn. No. 93-3453  | Pending                                   |
|   | Netherlands | European Patent<br>No. 644 755                             | National<br>Registration<br>of EP 644 755 |
|   | Portugal    | European Patent<br>No. 644 755                             | National<br>Registration<br>of EP 644 755 |
|   | Spain       | European Patent<br>No. 644 755                             | National<br>Registration<br>of EP 644 755 |

**NanoSystems Intellectual Property Portfolio of  
Pending and Granted Patents  
August 20, 1998**

| Title of Invention  | Country           | Patent/Appln. No.              | Status                                    |
|---|-------------------|--------------------------------|---|
| Modified NSAID Nanoparticles  | Sweden            | European Patent<br>No. 644 733 | National<br>Registration<br>of EP 644 733 |
|   | Switzerland       | European Patent<br>No. 644 733 | Granted                                   |
|   | United<br>Kingdom | European Patent<br>No. 644 733 | National<br>Registration<br>of EP 644 733 |
| Controlled Adhesion Within the GI-Tract<br>of Nanoparticles Stabilized by High<br>Molecular Weight, Linear Poly(cylixic<br>acid) Polymers | U.S.              | Patent No. 5,388,378           | Granted                                   |
| Enhanced Imaging X-Ray Contrast Agents  | U.S.              | Patent No. 5,371,730           | Granted                                   |
| Biodegradable Surfactant for Nanocrymuls  | U.S.              | Patent No. 5,421,938           | Granted                                   |
| Emulsions of Oral Gastrointestinal<br>Contrast Agents in<br>Emulsion with Pharmaceutically<br>Compatible Clays                            | U.S.              | Patent No. 5,444,448           | Granted                                   |
| Novel Naproxen with Hydroxypropyl<br>Cellulose as a Dispersion Stabilizer   | U.S.              | Patent No. 5,391,438           | Granted                                   |
| Novel Triazole-5-Substituted Amino-<br>Acids as X-Ray Contrast Agents for Medical Diagnostic<br>Imaging                                   | U.S.              | Patent No. 5,378,156           | Granted                                   |
| Novel (Alkanyl Amino)-2,4,6-<br>Trihydroxy Ester  | U.S.              | Patent No. 5,603,916           | Granted                                   |
| Continuous Method of Grinding<br>Pharmaceutical Substances  | U.S.              | Patent No. 5,718,388           | Granted                                   |
|   | Argentina         | Appln. No. 331,937             | Pending                                   |
|   | Canada            | Appln. No. 2,196,134           | Pending                                   |
|   | Taiwan            | Appln. No. 84103642            | Pending                                   |
|   | Europe            | Appln. No. 93919081.0          | Pending                                   |
|   | Israel            | Appln. No. 111831              | Pending                                   |
|   | Japan             | Appln. No. 93253817            | Pending                                   |
|   | Malaysia          | Appln. No. P1 9301373          | Pending                                   |
|   | Philippines       | Appln. No. 93/36374            | Pending                                   |
|   | Venezuela         | Appln. No. 8834-93             | Pending                                   |
| Trialkylphenyl Esters as Novel X-Ray<br>Contrast Agents   | U.S.              | Appln. No. 68/677,708          | Pending                                   |
| Novel 3-Amino-2-Trifluoromethylphenyl Esters as X-<br>Ray Contrast Agents   | U.S.              | Patent No. 5,668,184           | Granted<br>September<br>16, 1997          |
| Polyether Copolymers and a Process for<br>Preparing Them  | U.S.              | Appln. No. 68/677,709          | Pending                                   |
|   | Argentina         | Appln. No. 331,133             | Pending                                   |
|   | Canada            | Appln. No. 2,207,389           | Pending                                   |
|   | Taiwan            | Appln. No. 8466162792          | Pending                                   |
|   | Europe            | Appln. No. 93904320.4          | Pending                                   |
|   | Israel            | Appln. No. 94/6112134          | Pending                                   |

**SCHEDULE 1.1:**

| <b>NanoSystems Intellectual Property Portfolio of<br/>Pending and Granted Patents<br/>August 28, 1998</b>  |                  |   |               |
|--|------------------|---|---------------|
| <b>Title of Invention</b>  | <b>Country</b>   | <b>Patent/Appn. No.</b>                         | <b>Status</b> |
| <b>Other Copolymers and a Process for<br/>Making Them</b>  | Europe           | National Phase of<br>PCT/EP94/04261             | Pending       |
|  | Japan            | National Phase of<br>PCT/JP94/04261             | Pending       |
|  | Malaysia         | Appn. No. PI 950052                             | Pending       |
|  | Mexico           | Appn. No. 931133                                | Pending       |
|  | Philippines      | Appn. No. 30830                                 | Pending       |
|  | Great<br>Britain | Patent No. 2283977                              | Granted       |
|  | Venezuela        | Appn. No. 93/124                                | Pending       |
| <b>Rhombohedral Crystalline Form of<br/>Trans-Isomers Acetamide, Compositions<br/>Containing the Rhombohedral Crystalline<br/>Form of Trans-Isomers Acetamide, Methods<br/>of Making and Using Such Compositions,<br/>and Methods of Making Nanocrystalline<br/>Compositions of Tetragonal Crystalline<br/>Form of Trans-Isomers Acetamide</b> | U.S.             | Appn. No. 08/941,281                            | Pending       |
| <b>Oral Formulations of Naproxen</b>   | U.S.             | Appn. No. Unknown<br>(filed on August 13, 1998) | Pending       |



the Acquired Assets are subject, other than in the case of clauses (ii) and (iii) any conflict, breach, default, termination, cancellation, acceleration, loss, violation or Encumbrance which, individually or in the aggregate, would not have a Material Adverse Effect or materially impair or delay Seller's ability to perform its obligations hereunder.

**4.4 Binding Effect.** This Agreement constitutes a valid and legally binding obligation of Seller enforceable in accordance with its terms, subject to bankruptcy, insolvency, reorganization, moratorium and similar laws of general applicability relating to or affecting creditors' rights and to general equity principles.

**4.5 Consents and Approvals.** Except as required by the H-S-R Act, no consent, approval, waiver or authorization is required to be obtained by Seller from, and no notice or filing is required to be given by Seller to or made by Seller with, any Federal, state, local or other governmental authority or other Person in connection with the execution, delivery and performance by Seller of this Agreement other than those the failure of which to obtain, give or make would not have a Material Adverse Effect or materially impair or delay the ability of Seller to effect the Closing.

**4.6 Intellectual Property.** To the best Knowledge of Seller, Seller owns or has the right to use all of the Intellectual Property included in the Acquired Assets. The Intellectual Property included in the Acquired Assets constitutes all of the Intellectual Property necessary to conduct the Business as currently conducted. Schedule 1.1(e) contains a worldwide list of all patents, trade names, trademarks and service marks, and applications for the foregoing owned or possessed by the Seller and true and complete copies of all such materials have been made available to Buyer. Seller has taken all action reasonably necessary to establish and protect its interest in and to the NanoSystems Intellectual Property. To the Knowledge of Seller, (i) Seller's products do not infringe on or otherwise violate the Intellectual Property of any other Person, and (ii) no Person is challenging, infringing or otherwise violating the NanoSystems Intellectual Property. Except as set forth in the Contracts listed on Schedule 4.6(b), there is no limitation on Seller's ability or right to license any of the NanoSystems Intellectual

NY12528:97443.11

-17-

**Property to any Person** All issued patents and registered trademarks and service marks owned by Seller are recorded on the public record solely in the name of Seller.

**4.7 Title to and Condition of Tangible Property.** Seller has good title to, or a valid and binding leasehold interest in, the tangible property included in the Acquired Assets, free and clear of all Encumbrances, except (i) liens for Taxes, assessments and other governmental charges (a) not yet due and payable or (b) being contested in good faith by appropriate proceedings and for which adequate reserves have been established, and (ii) Encumbrances which, individually or in the aggregate, would not have a Material Adverse Effect. Upon the consummation of the transactions contemplated hereby, assuming Buyer is a bona fide purchaser for value with no knowledge of an adverse claim, Buyer will acquire good title to the tangible property included in the Acquired Assets, free and clear of all Encumbrances, except for the exceptions in clauses (i) and (ii) of this Section 4.7. The tangible property included in the Acquired Assets is in all material respects in good working condition, ordinary wear and tear excepted.

**4.8 Contracts**

(a) Schedule 4.8(a) sets forth a list, as of the date hereof, of each Contract that is material to Seller. Each such Contract is a valid and binding agreement of Seller or its Affiliates and is in full force and effect.

(b) To the Knowledge of Seller, there has been no material breach or default under any Contract listed on Schedule 4.8(a) except for defaults that have been cured or waived and breaches and defaults which are not material. No event has occurred with respect to Seller which, with notice or lapse of time or both, would constitute a material breach, violation or default, or give rise to a right of termination, cancellation, foreclosure, imposition of a lien or penalty, prepayment or acceleration under any such Contract.

(c) Seller is not a party to any Contract in any of the following categories:

NY12328:97443 11

-18-

**ASSIGNMENT OF INTELLECTUAL PROPERTY OTHER THAN PATENT**

KNOW ALL PERSONS BY THESE PRESENTS that in connection with the Asset Purchase Agreement, dated as of August 21, 1998 (the "Agreement"), by and among Elan Corporation, plc, a public limited company organized under the laws of Ireland ("Buyer"), NanoSystems L.L.C., a limited liability company organized under the laws of the State of Delaware ("Seller"), and Eastman Kodak Company, a New Jersey corporation (capitalized terms not defined herein shall have the meaning ascribed to them in the Agreement), Seller, for good and valuable consideration, receipt of which is hereby acknowledged, hereby ASSIGNS to Buyer all of Seller's right, title and interest in and to all Intellectual Property included in the Acquired Assets (other than the rights to develop and commercialize a nanocrystal version of Paclitaxel) in accordance with the terms of the Agreement.

IN WITNESS WHEREOF, Seller has caused this instrument to be executed by its duly authorized officer on the 1st day of October, 1998.

NANOSYSTEMS L.L.C.

By: Particulate Prospects Corp.,  
Member

By: *Akram Sandhu*  
Name: Akram Sandhu  
Title: Vice President

NY12523-1998203

Received 04-22-98 11:05am  
RECORDED: 05/05/2000

From-

To-FOLEY AND BROWNE  
PATENT Page 05  
REEL: 010797 FRAME: 0500